1 UNITED STATES DISTRICT COURT 2 **DISTRICT OF NEVADA** 3 UNITED STATES OF AMERICA, ORDER CONTINUE SENTENCING 4 Plaintiff, 5 2:12-CR-083-APG-(GWF) v. 6 DEREK CARDER, 7 Defendant. 8 9 This matter comes before the Court on the parties Stipulation to Continue Sentencing. 10 Based on the stipulation of the parties, and good cause appearing therefore, the Court hereby finds 11 that: 12 The Court has *sua sponte* questioned the sufficiency of the evidence relating to the 13 14 restitution and forfeiture amounts and the Court has indicated on the record, during a hearing with 15 co-conspirator Morrell, 2:12-CR-0083-APG-GWF, that the Court is inclined to explore further the 16 issues of restitution and forfeiture as they relate to the associate members of Carder.su, despite the 17 fact that such arguments are in violation of the parties' express agreement memorialized in the 18 parties' plea agreement. The Court has set a briefing schedule for defendant Morrell's case. 19 concluding with defendant Morrell's sentencing hearing on September 10, 2014. Because 20 21 defendant CARDER's case presents similar issues of restitution and forfeiture, the parties request a 22 similar briefing schedule and sentencing date. 23 Defendant CARDER is at liberty pending sentencing, having been released on bond. He 24 does not oppose the requested continuance and waives any right he may have to a speedy sentencing 25 in this matter.

26

1	The Court hereby concludes that the ends of justice are best served by granting this
2	continuance of defendant CARDER's sentencing.
3	This is the first request to continue the sentencing in this matter.
4	
5	IT IS THEREFORE ORDERED that the sentencing hearing, currently scheduled for August
6 7	7, 2014, is vacated and reset for _ September 18, 2014 at 9:00 a.m., Courtroom 6C. The Government
8	shall have to and including August 26, 2014 to file its brief. The Defendant shall have to and including
9	September 9, 2014 to file any response.
10	
11	Que de la companya del la companya de la companya d
12	HON. ANDREW P. GORDON UNITED STATES DISTRICT JUDGE
13	
14	DATED:
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	